

**DECLARATION FOR NON-PROVISIONAL PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below at 201 et seq. beneath my name.

I believe I am the original, first and sole inventor if only one name is listed at 201 below, or an original, first and joint inventor if plural names are listed at 201 et seq. below, of the subject matter which is claimed and for which a patent is sought on the invention entitled in:

**METHOD AND DEVICE FOR DISPENSING FROM LIQUID CONCENTRATES  
BEVERAGES HAVING MULTI-LAYER VISUAL APPEARANCE**

and for which a patent application:

- is attached hereto and includes amendment(s) filed on \_\_\_\_\_ *(if applicable)*  
 was filed in the United States on as Application No. \_\_\_\_\_ *(declaration not accompanying application)* with amendment(s) filed on \_\_\_\_\_ *(if applicable)*  
 was filed as PCT international Application No. \_\_\_\_\_ on \_\_\_\_\_ and was amended under PCT Article 19 on \_\_\_\_\_ *(if applicable)*

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED PRIOR TO THE FILING DATE OF THE APPLICATION			
APPLICATION NUMBER	COUNTRY	DATE OF FILING (day, month, year)	PRIORITY CLAIMED
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

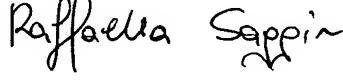
PROVISIONAL APPLICATION NUMBER	FILING DATE

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose information known to me which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

NON-PROVISIONAL APPLICATION NO.	FILING DATE	STATUS		
		PATENTED	PENDING	ABANDONED

\* for use only when the application is assigned to a company, partnership or other organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

2	FULL NAME OF INVENTOR	LAST NAME <b>SHER</b>	FIRST NAME <b>Alexander</b>	MIDDLE NAME <b>A.</b>
0	RESIDENCE & CITIZENSHIP	CITY <b>Danbury</b>	STATE OR FOREIGN COUNTRY <b>Connecticut</b>	COUNTRY OF CITIZENSHIP <b>Russian Federation</b>
1	POST OFFICE ADDRESS	STREET <b>5005 Hancock Drive</b>	CITY <b>Danbury</b>	STATE OR COUNTRY <b>Connecticut</b> ZIP CODE <b>06811</b>
	SIGNATURE OF INVENTOR 201 			DATE <b>Oct 22, 2003</b>
2	FULL NAME OF INVENTOR	LAST NAME <b>SAGGIN</b>	FIRST NAME <b>Raffaella</b>	MIDDLE NAME
0	RESIDENCE & CITIZENSHIP	CITY <b>New Milford</b>	STATE OR FOREIGN COUNTRY <b>Connecticut</b>	COUNTRY OF CITIZENSHIP <b>Italy</b>
2	POST OFFICE ADDRESS	STREET <b>5D Terrace Place</b>	CITY <b>New Milford</b>	STATE OR COUNTRY <b>Connecticut</b> ZIP CODE <b>06776</b>
	SIGNATURE OF INVENTOR 202 			DATE <b>10-22-03</b>
2	FULL NAME OF INVENTOR	LAST NAME <b>MOFFITT</b>	FIRST NAME <b>Kenneth</b>	MIDDLE NAME <b>R.</b>
0	RESIDENCE & CITIZENSHIP	CITY <b>Brookfield</b>	STATE OR FOREIGN COUNTRY <b>Connecticut</b>	COUNTRY OF CITIZENSHIP <b>United States</b>
3	POST OFFICE ADDRESS	STREET <b>2 Poppy Drive</b>	CITY <b>Brookfield</b>	STATE OR COUNTRY <b>Connecticut</b> ZIP CODE <b>06804</b>
	SIGNATURE OF INVENTOR 203 			DATE <b>10-22-03</b>

2	FULL NAME OF INVENTOR	LAST NAME <b>THAKUR</b>	FIRST NAME <b>Beli</b>	MIDDLE NAME <b>R.</b>
0	RESIDENCE & CITIZENSHIP	CITY <b>New Milford</b>	STATE OR FOREIGN COUNTRY <b>Connecticut</b>	COUNTRY OF CITIZENSHIP <b>India</b>
4	POST OFFICE ADDRESS	STREET <b>2 Ayrshire Drive</b>	CITY <b>New Milford</b>	STATE OR COUNTRY <b>Connecticut</b> ZIP CODE <b>06776</b>
	SIGNATURE OF INVENTOR 204  <i>P. Thakur.</i>			DATE  <i>Oct 29, 03</i>
2	FULL NAME OF INVENTOR	LAST NAME <b>LIVINGS</b>	FIRST NAME <b>Simon</b>	MIDDLE NAME <b>J.</b>
0	RESIDENCE & CITIZENSHIP	CITY <b>New Milford</b>	STATE OR FOREIGN COUNTRY <b>Connecticut</b>	COUNTRY OF CITIZENSHIP <b>United Kingdom</b>
5	POST OFFICE ADDRESS	STREET <b>30 Wood Creek Road</b>	CITY <b>New Milford</b>	STATE OR COUNTRY <b>Connecticut</b> ZIP CODE <b>06776</b>
	SIGNATURE OF INVENTOR 205  <i>S. Livings</i>			DATE  <i>October 23rd, 03</i>
2	FULL NAME OF INVENTOR	LAST NAME <b>WEDRAL</b>	FIRST NAME <b>Elaine</b>	MIDDLE NAME <b>R.</b>
0	RESIDENCE & CITIZENSHIP	CITY <b>Sherman</b>	STATE OR FOREIGN COUNTRY <b>Connecticut</b>	COUNTRY OF CITIZENSHIP <b>United States</b>
6	POST OFFICE ADDRESS	STREET <b>8 Chestnut Hill Road</b>	CITY <b>Sherman</b>	STATE OR COUNTRY <b>Connecticut</b> ZIP CODE <b>06784</b>
	SIGNATURE OF INVENTOR 206  <i>E. Wedral</i>			DATE  <i>22 October 2003</i>

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Alexander A. SHER et al.

Confirmation No.:

Application No.:

Group Art Unit:

Filing Date:

Examiner:

For: METHOD AND DEVICE FOR DISPENSING FROM LIQUID CONCENTRATES BEVERAGES HAVING MULTI-LAYER VISUAL APPEARANCE Attorney Docket No.: 88265-7629

**POWER OF ATTORNEY BY ASSIGNEE  
AND EXCLUSION OF INVENTOR(S) UNDER 37 C.F.R. 3.71**

Commissioner for Patents  
P.O. Box 1450  
Washington, D.C. 22313-1450  
Sir:

The undersigned assignee of the entire interest in the above-identified subject application hereby appoints Allan A. Fanucci (Reg. No. 30,256) and Daniel J. Hulseberg (Reg. No. 36,554) of WINSTON & STRAWN LLP (Customer No. 28765) to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith.

Please direct all correspondence for this application to Customer No. 28765 to the attention of Allan A. Fanucci (telephone 212-294-3311, facsimile 212-294-4700).

An assignment of the entire interest in the above-identified subject application:

- is submitted herewith for recording and a copy is attached.  
 was submitted for recordation on \_\_\_\_\_ and a copy is attached.  
 was recorded on \_\_\_\_\_ at Reel \_\_\_\_\_, Frame \_\_\_\_\_.

The undersigned has reviewed this assignment and, to the best of his/her knowledge, title is in the assignee seeking to take action in this application and that he/she is empowered to act on its behalf.

ASSIGNEE:

NESTEC S.A.

Signature:



Date of Signature:

October 24, 2003

Typed Name:

Jean ARCHAMBAULT - Jean-Christophe PIOT

Position>Title:

Authorised Signatory

Address:

Avenue Nestle 55

CH-1800 Vevey

Switzerland

## ASSIGNMENT

WHEREAS, each of

**Alexander A. SHER**, a citizen of the Russian Federation residing at,  
5005 Hancock Drive, Danbury, Connecticut, 06811;

**Raffaella SAGGIN**, a citizen of Italy, residing at,  
5D Terrace Place, New Milford, Connecticut, 06776;

**Kenneth R. MOFFITT**, a citizen of the United States, residing at,  
2 Poppy Drive, Brookfield, Connecticut 06804

**Beli R. THAKUR**, a citizen of India, residing at,  
2 Ayrshire Drive, New Milford, Connecticut 06776;

**Simon J. LIVINGS**, a citizen of the United Kingdom, residing at,  
30 Wood Creek Road, New Milford, Connecticut, 06776; and

**Elaine R. WEDRAL**, a citizen of the United States, residing at,  
8 Chestnut Hill Road, Sherman, Connecticut, 06784

ASSIGNOR, is an inventor of the invention in **METHOD AND DEVICE FOR DISPENSING FROM LIQUID CONCENTRATES BEVERAGES HAVING MULTI-LAYER VISUAL APPEARANCE**, for which an application for a Patent of the United States, identified by Winston & Strawn Docket No. 88265-7629.

- is executed on even date herewith  
 was filed on \_\_\_\_\_ as Application No. \_\_\_\_\_.

WHEREAS, NESTEC S.A., a Swiss corporate body having a place of business at Avenue Nestlé 55, 1800 Vevey, Switzerland, ASSIGNEE, is desirous of obtaining each inventor's entire right, title and interest in, to and under the said invention and the said application.

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to each inventor in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, each ASSIGNOR has sold, assigned, transferred and set over, and by these presents does hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, his or her entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals

and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries other than the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

And each ASSIGNOR hereby authorizes and requests the Commissioner of Patents and Trademarks of the United States, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument;

And each ASSIGNOR hereby covenants and agrees that he or she has the full right to convey the entire interest herein assigned, and that he or she has not executed, and will not execute, any agreement in conflict herewith;

And each ASSIGNOR hereby further covenants and agrees that he or she will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to him or her respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, and reissue applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention;

And each ASSIGNOR hereby authorizes the ASSIGNEE's patent attorney to complete this form by the addition of the application number, application filing date, and attorney docket number, if necessary.

In witness whereof, each inventor has affixed his or her signature.

Date

Oct 22

Alexander A. SHER

STATE OF Connecticut )  
COUNTY OF Litchfield )

On this 22 day of October, 2003, before me, a Notary Public, personally appeared Alexander A. SHER, to me known and known to me to be the person of that name, who signed the foregoing instrument and acknowledged the same to be his/her free act and deed.

MARGARET N. KASWER  
**NOTARY PUBLIC**  
MY COMMISSION EXPIRES DEC. 31, 2004

My Commission Expires

Notary Public

Date

10-22-03

STATE OF Connecticut )  
COUNTY OF Litchfield )

On this 22 day of October, 2003, before me, a Notary Public, personally appeared Raffaella SAGGIN, to me known and known to me to be the person of that name, who signed the foregoing instrument and acknowledged the same to be his/her free act and deed.

MARGARET N. KASWER  
**NOTARY PUBLIC**  
MY COMMISSION EXPIRES DEC. 31, 2004

My Commission Expires

Raffaella SAGGIN

Notary Public

Oct. 22, 2003

Date

Kenneth R. Moffitt

Kenneth R. MOFFITT

STATE OF Connecticut )  
COUNTY OF Litchfield )

On this 22 day of October, 2003, before me, a Notary Public, personally appeared Kenneth R. MOFFITT, to me known and known to me to be the person of that name, who signed the foregoing instrument and acknowledged the same to be his/her free act and deed.

MARGARET N. KASWER  
**NOTARY PUBLIC**  
MY COMMISSION EXPIRES DEC. 31, 2004

Margaret N. Kaswer

Notary Public

My Commission Expires

OCT 22, 03

Date

Priti

Beli R. THAKUR

STATE OF Connecticut )  
COUNTY OF Litchfield )

On this 22 day of October, 2003, before me, a Notary Public, personally appeared Beli R. THAKUR, to me known and known to me to be the person of that name, who signed the foregoing instrument and acknowledged the same to be his/her free act and deed.

MARGARET N. KASWER  
**NOTARY PUBLIC**  
MY COMMISSION EXPIRES DEC. 31, 2004

Margaret N. Kaswer

Notary Public

My Commission Expires

October 23rd, 03.

Date



\_\_\_\_\_  
Simon J. LIVINGS

STATE OF Connecticut )  
COUNTY OF Litchfield )

On this 23 day of October, 2003, before me, a Notary Public, personally appeared Simon J. LIVINGS, to me known and known to me to be the person of that name, who signed the foregoing instrument and acknowledged the same to be his/her free act and deed.

MARGARET N. KASWER  
**NOTARY PUBLIC**  
MY COMMISSION EXPIRES DEC 31, 2004

Margaret N. Kaswer

Notary Public

My Commission Expires

22 - Oct. - 03

Date

STATE OF Connecticut )  
COUNTY OF Litchfield )

On this 22 day of October, 2003, before me, a Notary Public, personally appeared Elaine R. WEDRAL, to me known and known to me to be the person of that name, who signed the foregoing instrument and acknowledged the same to be his/her free act and deed.

Elaine R. Wedral

Elaine R. WEDRAL

MARGARET N. KASWER  
**NOTARY PUBLIC**  
MY COMMISSION EXPIRES DEC 31, 2004